

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

OPERATION OCR, LLC D/B/A
OTHERWORLD FITNESS, et al;

Plaintiffs,

v.

KATHLEEN PASSAFARO, et al

Defendants.

Case No. 1:21-cv-00850

MOTION TO WITHDRAW AS COUNSEL

COMES NOW, The Heidt Law Firm, PLLC and Alex Heidt hereby moves this Court for leave to withdraw as counsel for the Defendants KATHLEEN PASSAFARO and PASSAFARO NOVA NINJA LLC in the above captioned matter, and in support thereof states as follows:

1. Withdrawal of counsel is necessary pursuant to Rules 1:16(a)(1); 1.16(b)(3); 1.16(b)(4); and Rule 1.16(b)(6).
2. Trial in this matter has not been set, and therefore the attorney's withdrawal will not materially affect the Defendants' interests.
3. Pretrial hearing is currently set for March 17, 2022.
4. Counsel for Plaintiffs have been notified of Defendants' counsel's request in this Motion on March 4, 2022, and he is unopposed.
5. This Motion is not sought for delay and will not prejudice any party to this litigation.
6. Defendants were given reasonable notice and advised by counsel of his decision to withdraw as counsel.

7. Counsel will have Defendants served by electronic mail and private process service, a copy of this Motion; accompanying Order; and Notice to have the matter heard on March 17, 2022.

WHEREFORE, for the foregoing reasons, undersigned counsel respectfully requests that this Court find good cause shown to enter an Order permitting The Heidt Law Firm, PLLC and Alex Heidt to withdraw as counsel for the Defendants in this matter.

Respectfully submitted,

/s/ Alex Heidt

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Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of March 2022, I caused a copy of the foregoing to be e-filed and served via the Court's electronic filing system to Plaintiffs' counsel, and by electronic mail and private process service on the Defendants.

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/s/ Alex Heidt
Alex Heidt, Esq.